



TOWN OF ACTON
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July 14, 2006

Ms. Andrea Nixon, Clerk
Cable Television Division
One South Station
Boston, Massachusetts 02110
BY E-MAIL: andrea.nixon@state.ma.us

Re: CTV 06-1 – Petition of Verizon New England, Inc.

Dear Ms. Nixon:

The Town of Acton, through its Board of Selectmen and this office, would like to express its strong opposition to Verizon of New England's proposed amendments to the Cable Division's regulations regarding cable licensing. As the Cable Division is aware licensing is a complicate process involving many substantive and procedural issues. Rather than outlining the many issues involved in cable licensing (which are, in fact, even greater franchising for initial licensing, whether or not it is a so-called "competitive" license), the Town simply attaches hereto a copy of its Issuing Authority Report, dated June, 28, 2007. Particular attention should be give to Section K – Institutional Network (Pages 20-27) and Section L (Public, Educational and Government (PEG) Access) (Pages 27-41). The PEG Access issues are, as the Division is aware, even more involved in a community, such as Acton, where the incumbent cable licensee directly operates PEG Access/Community Programming.

After reviewing the attached IAR, it is self evident that no serious argument could be made that a Town, even one as fortunate to have as many active, knowledgeable and experienced volunteers on its Cable Advisory Committee as the Town of Acton, together with the resources, although limited, to retain specialized cable counsel, could identify the community's cable related needs, draft an IAR (which is a crucial component of the process which Verizon also seeks to eliminate), review the applicant's proposal(s), negotiate, and draft and revise a final license.

Rather than being a serious proposal to address and update the Cable Division's regulations, Verizon New England, Inc. proposal attempts to circumvent local franchising. The proposed amendments should be rejected.

The Town of Acton is hopeful and confident that it will shortly grant a cable license to Verizon New England, Inc. The Town is informed by its cable counsel, that after the initial period, where Verizon and municipalities needed to work out some fundamental issues, that the licensing process is moving both expeditiously and effectively. Counsel has further indicated that Verizon has been responsive to municipal needs and concerns, and, of course, at all times approached municipalities and towns with the utmost professionalism. We look forward to Verizon serving the Town of Acton and its residents.

Very truly yours,

/s/ Don P. Johnson

Don P. Johnson,
Town Manager